

CLASSIFICATION OFFICE DECISION

Title of publication: 04

Other known title(s): Not stated

OFLC ref: 1700391.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 07 August 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 04 August 2017

Summary of reasons for decision:

The image is a cartoon depicting sexual conduct involving child characters from "The Simpsons" television series. The image does not meet the high threshold of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 in terms of tending to promote or support the exploitation of children or young persons. It is however sexually explicit, and likely to harm the attitudes and behaviour of children and teenagers who are impressionable and still forming their sexual identities and understanding of sexual behaviour. Adults have the maturity and knowledge to read this as a boundary-pushing work of satire. A restriction limiting the availability of the image to adults therefore reduces the likelihood of injury to the public good. This classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990 but is reasonable and demonstrably justified in order to prevent injury to the public good.